

STATE *of* CALIFORNIA
**COMMISSION ON STATE
MANDATES**



Guide



OUR MISSION

To fairly and impartially:

- Hear and determine matters filed by state and local government;
- Resolve complex legal questions in a deliberative and timely manner; and
- Produce well-reasoned and lawful decisions.

OUR VISION

The Commission on State Mandates timely renders sound decisions, in compliance with article XIII B, section 6 of the California Constitution, to resolve disputes regarding reimbursement for state-mandated local programs and to relieve unnecessary congestion of the courts.

OUR VALUES

We act with professionalism, integrity, objectivity, and efficiency in making determinations. We value:

Parties—We treat all parties with courtesy and respect and we consider their views with objectivity.

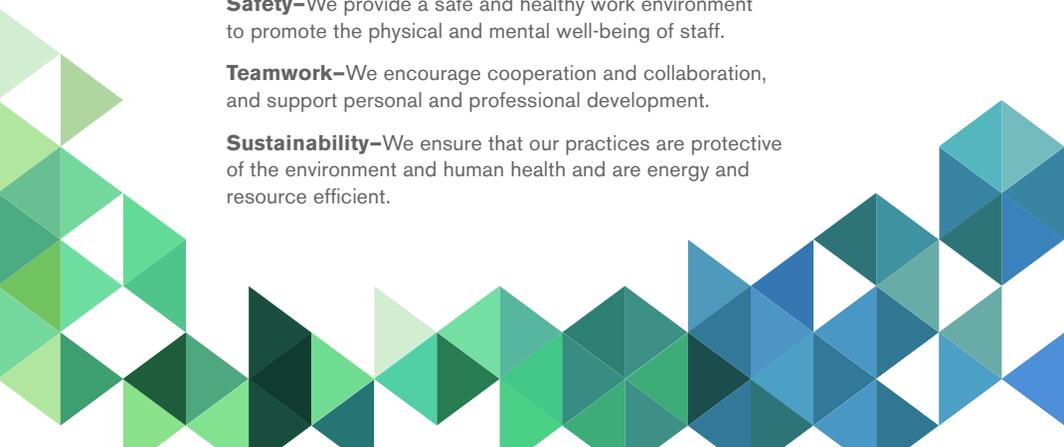
Quality—We produce sound, well-reasoned decisions, in a timely manner, using innovative tools and techniques to improve our efficiency.

Integrity—We demonstrate fair, honest, and ethical behavior.

Safety—We provide a safe and healthy work environment to promote the physical and mental well-being of staff.

Teamwork—We encourage cooperation and collaboration, and support personal and professional development.

Sustainability—We ensure that our practices are protective of the environment and human health and are energy and resource efficient.



MANDATE DETERMINATION PROCESS



Statute or Executive Order

In enacting a statute or imposing an executive order, the Legislature, Governor, or a state agency may impose a new program or higher level of service on local agencies or school districts. If the statute or executive order does not contain sufficient funding and there are increased costs as a result of the change, affected local agencies and school districts may seek reimbursement by filing a test claim with the Commission on State Mandates.

Test Claim

"Test Claim" means the first claim filed with the Commission alleging that a particular statute or executive order imposes costs mandated by the state, and functions like a class action. The claim must be filed within twelve months of the effective date of the law or of the claimant first incurring costs. The claim is required to include the identification of specific sections of the statute or executive order alleged to contain the mandate, provide a detailed description of the activities and costs alleged to be mandated and otherwise comply with the filing requirements of Government Code 17553 and the Commission's regulations. The Commission hears and makes a determination on each claim.

Parameters and Guidelines

For approved test claims, the Commission must determine the amount to be reimbursed. Either the test claimant develops proposed parameters and guidelines or Commission staff prepares draft expedited parameters and guidelines that identify the mandated program, eligible claimants, period of reimbursement, reimbursable activities, and other necessary claiming information. The Commission hears and may adopt, amend, or reject the proposed parameters and guidelines.

State Controller's Claiming Instructions

Within 90 days of the Commission's adoption of parameters and guidelines, the State Controller issues claiming instructions, which local agencies and school districts follow when filing claims for reimbursement. Initial reimbursement claims must be filed within 120 days of the issuance of the claiming instructions. Annual claims must be filed by February 15, following the fiscal year for which costs were incurred. The Controller shall pay eligible claims by October 15 or 60 days after the date an appropriation for the claim is effective, whichever is later.

Statewide Cost Estimate

After initial claims have been filed, a statewide cost estimate for eligible costs is adopted by the Commission. These estimates are reported to the Legislature and form the basis of state budget appropriations to fund the costs of the mandated program.

This chart depicts a simplified overview of the Mandate Determination Process. The 11-step process shows what entity or activity is involved at each step.



COMMISSION MEMBERS

Director of the Department of Finance
State Treasurer
State Controller
Director of the Office of Planning
and Research

A public member with experience
in public finance

Two members from the following three
categories, with no more than one
member from the same category:

- A city council member
- A member of a county, or city and county, board of supervisors
- A governing board member of a school district as defined in Government Code section 17519

Note: *The public member and two local officials are appointed by the Governor and are subject to Senate confirmation. Each appointed member serves a four-year term that may be renewed.*

Statutory Responsibilities

- To adjudicate test claims of local entities that allege the existence of reimbursable state-mandated programs.
- To hear and decide claims that the State Controller's Office incorrectly reduced payments to local entities.
- To hear and decide requests for a mandate redetermination alleging that the state's liability for the mandate has been modified based on a subsequent change in law.
- To determine the existence of significant financial distress for applicant counties seeking to reduce their General Assistance aid standard.



For More Information

Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, California 95814
Tel: (916) 323-3562
Email: csminfo@csm.ca.gov
www.csm.ca.gov

